

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

FILED-WD

2002 APR 26 PM 4:25

CLERK
U. S. DISTRICT COURT

LODGING CONCEPTS, INC.,)

Plaintiff,)

vs.)

FIRST BASE FOR WOMEN, LLC and)
ACCEL, INC.,)

Defendants.)

Civil Action No. **02C50164**

NOTICE OF REMOVAL

NOW COMES the Defendant, FIRST BASE FOR WOMEN, LLC, hereinafter "FIRST BASE", by its attorneys, MAGGIO & FOX PROFESSIONAL CORPORATION, pursuant to 28 U.S.C. §§1332, 1441 and 1446 hereby gives notice of the removal of this action from the Circuit Court of McHenry County, Illinois to the United States District Court for the Northern District of Illinois. As grounds for this removal, AMCORE states as follows:

1. This action was commenced on February 14, 2002, by the filing of a two Count Complaint in the Circuit Court of McHenry County, Illinois. A true and correct copy of the Alias Summons and Complaint served upon the Defendant, FIRST BASE FOR WOMEN, LLC, are attached hereto collectively as Exhibit "A" and incorporated herein by reference.

2. FIRST BASE was served with the Alias Summons and Complaint on March 27, 2002. The Defendant, ACCEL, INC., was not served with either the Summons or Alias Summons. McHenry County court record indicates that the Alias Summons was returned "Not Served".

3. Based on the service of FIRST BASE, this Notice of Removal is timely filed within thirty (30) days of the pleading from which the Defendant could ascertain that the case is properly removable in accordance with the provisions of 28 U.S.C. §1446(b).

4. The allegations in Plaintiff's Complaint are centered upon a breach of contract and guaranty. Count I of Plaintiff's Complaint purports to assert a breach of contract cause of action against FIRST BASE arising out of a contract for manufacture and sale of Breast Self-Exam Shower Kits. The Shower Kits were to be manufactured by Plaintiff and sold to FIRST BASE pursuant to a Purchase Order dated July 18, 2001. The second Count of the Complaint involves an alleged guaranty of ACCEL, INC. with respect to the Purchase Order.

5. Pursuant to the Complaint, Plaintiff identifies itself as a New Jersey corporation, qualified to do business in the State of Illinois having offices located at 203 Berg Street, Algonquin, Illinois.

6. FIRST BASE is an Ohio limited liability company with offices located in Ohio. The Complaint does not allege that FIRST BASE maintains any Illinois office or is registered to do business in the State of Illinois.

7. The Defendant, ACCEL, INC., is also an Ohio corporation maintaining its principal offices in Ohio. The Complaint does not allege that ACCEL maintained offices in the State of Illinois or was registered to do business in the State of Illinois.

8. Count I of the Complaint against FIRST BASE requests damages for breach of contract in an amount in excess of \$400,000.00.

9. This action could have been originally filed in the United States District Court pursuant to 28 U.S.C. §1332, as the United States District Court has diversity jurisdiction over the claim based on the fact that there is diversity of citizenship between Plaintiff and Defendants and that the amount in controversy is in excess of \$75,000.00.

10. As a result of the diversity jurisdiction, this action is properly removable pursuant to 28 U.S.C. §1441.

11. Pursuant to 28 U.S.C. §1446(d), all adverse parties are being provided with written Notice of the Removal, and a copy of this Notice of Removal is being filed with the Clerk of the Circuit Court of McHenry County, Illinois.

12. No admission of fact, law or liability is intended by this Notice, and all defenses, motions and pleas are expressly reserved.

WHEREFORE, the Defendant, FIRST BASE FOR WOMEN, LLC, files this Notice of Removal and removes this civil action to the United States District Court for the Northern District of Illinois. Plaintiffs are hereby notified to proceed no further in State Court.

Dated this 26th day of April, 2002.

FIRST BASE FOR WOMEN, LLC, Defendant

BY: MAGGIO & FOX PROFESSIONAL CORPORATION

BY:



Gregory A. Biegel
One of its attorneys

PREPARED BY:

Gregory A. Biegel
MAGGIO & FOX PROFESSIONAL CORPORATION
501 Seventh St., Suite 501
Rockford, IL 61104
(815) 968-5100

3/24
STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
McHENRY COUNTY

Election Services and Software 78/20

LOGGING CONCEPTS, INC.,

Plaintiff,

vs.

FIRST BASE FOR WOMEN, LLC and
ACCEL, INC.,

Defendants.

No. 02 CA 48
Received 2/28/02

ALIAS SUMMONS

To each defendant: ~~First Base for Women, LLC, c/o Kathleen Bajio, Registered Agent, 6265-~~
~~Riverside Drive, Dublin OH 43017~~

You are summoned and required to file an answer in this case, or otherwise file your appearance in the Office of
the Clerk of this Court In the County Government Center building, room 1200 North Seminary, Woodstock, Illinois, within 30 days after service of this summons.
(Address) (City)

not counting the day of service. IF YOU FAIL TO DO SO, A JUDGEMENT OR DECREE BY DEFAULT MAY BE TAKEN
AGAINST YOU FOR THE RELIEF ASKED IN THE COMPLAINT.

To the officer:

This summons must be returned by the officer or other person to whom it was given for service, with indorse-
ment of sevice and fees, if any, immediately after service. If service cannot be made, summons shall be returned so
indorsed.

This summons may not be served later than 30 days after its date.

(Seal of Court)

WITNESS March 20 Year 02
Vernon W. Kemp
(Clerk of the Circuit Court)
By: _____ (Deputy)

(Plaintiff's Attorney or Plaintiff if he is not represented by an Attorney)

Richard A. Palmer/ls

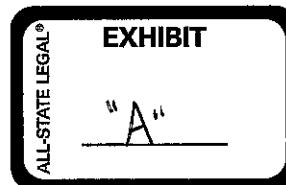
Name WILLIAM MURRAY PAGE, JR. LAWSON, D.P.

Attorney for Plaintiff

Address 202 East Fifth Street, P.O. Box 400

City Sterling, Illinois 61081-0400

(815) 625-0000



RECEIVED OF
02 MAR 26 PM 1:44
CLERK'S OFFICE

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT

McHENRY COUNTY, ILLINOIS

FILED

FEB 14 2002

VERNON W. KAYS, JR.
McHENRY CTY. CIR. CLK.

LODGING CONCEPTS, INC.

Plaintiff,

vs.

FIRST BaSE FOR WOMEN, LLC and
ACCEL, INC.

Defendants.

No. 02LA48

NOTICE

BY ADMINISTRATIVE ORDER 94-9

THIS CASE IS HEREBY SET FOR SCHEDULING
CONFERENCE IN COURTROOM C330 ON
6/20 20 02, AT 9:00 AM PM
FAILURE TO APPEAR MAY RESULT IN THE CASE
BEING DISMISSED OR AN ORDER OF
DEFAULT BEING ENTERED.

COMPLAINT

Count I

(Breach of Contract vs. First BaSE for Women LLC)

Plaintiff, Lodging Concepts Inc., a foreign corporation, by Ward, Murray, Pace & Johnson, P.C., its attorneys, complains of Defendant, First BaSE for Women, LLC, and alleges:

1. Plaintiff is a New Jersey corporation, duly qualified to do business in the State of Illinois, with offices at 203 Berg Street, Algonquin, McHenry County, Illinois, engaged in the business of manufacturing and selling customized specialty products, including soaps and shampoos.

2. Defendant, First BaSE for Women, LLC is an Ohio limited liability company with offices at 8133 Highfield Drive, Suite 100, Lewis Center, Ohio, engaged in the marketing and sale of a certain product known as the First BaSE™ Breast Self Exam Shower Kit, a customized product more particularly described on Exhibit A attached hereto and incorporated herein.

3. In June and July, 2001, Defendant First BaSE and Plaintiff negotiated for the manufacture and sale by Plaintiff to Defendant First BaSE of the completed one-ounce shower gel, bottled and labeled, (the Product) to be included in the First BaSE Breast Self-Exam Shower

Kit. These negotiations included, inter alia, selection of fragrance for the shower gel, selection of customized color for the bottle caps, and customized labeling.

4. On or about July 18, 2001, Defendant First BaSE issued its purchase order #10002 to Plaintiff for the purchase by Defendant from Plaintiff of 2,448,000 units of the Product at a total price of \$537,213.60. A copy of the purchase order is attached hereto as Exhibit B and hereby incorporated herein.

5. Plaintiff and Defendant First BaSE agreed the Product would be shipped in seven (7) shipments. The scheduled shipment dates agreed upon by Plaintiff and Defendant First BaSE were as follows:

<u>Shipment Date</u>	<u>Date to be Received by Defendant</u>	<u>Quantity</u>	<u>Dollar Amount</u>
August 31, 2001	September 3, 2001	102,000 units	\$22,883.80
September 7, 2001	September 10, 2001	204,000 units	\$44,787.80
September 14, 2001	September 17, 2001	408,000 units	\$89,635.80
September 21, 2001	September 24, 2001	408,000 units	\$89,635.80
September 28, 2001	October 1, 2001	408,000 units	\$89,635.80
October 5, 2001	October 8, 2001	408,000 units	\$89,635.80
October 12, 2001	October 15, 2001	510,000 units	\$111,919.50

6. Pursuant to said Purchase Order, Plaintiff ordered all the materials necessary to manufacture the Product, including special colored bottle caps, customized labeling, and special fragrance for the shower gel.

7. Plaintiff shipped to Defendant First BaSE the first two scheduled shipments and Defendant First BaSE paid Plaintiff for those goods.

8. On or about September 1, 2001, Defendant First BaSE notified Plaintiff that it had been unable to market and sell the Breast Self Exam Shower Kits as it had anticipated, and requested that Plaintiff defer and extend the delivery schedule and otherwise modify the terms of the Purchase Order to accommodate Defendant First BaSE's inability to market and sell the Kits.

9. On or about September 5, 2001, authorized representatives of Plaintiff met with authorized representatives of Defendant First BaSE, at which time the parties agree to modify Purchase Order #10002 on the following terms: (1) Defendant would immediately pay an additional \$15,000.00 deposit as security for payment of the remaining shipments; (2) Defendant would immediately prepay for the third scheduled shipment which was already manufactured, to be shipped immediately to Defendant upon prepayment; and (3) Plaintiff agreed to defer the remaining four shipments for a reasonable period of time, and Defendant would give Plaintiff two weeks advance notice of its request for each of the remaining four shipments, and prepay for each of those shipments when requested.

10. Contrary to the agreement reached by the parties on or about September 5, 2001, Defendant First BaSE failed and refused to pay the additional \$15,000.00 deposit, failed and refused to pay for the third shipment, and has failed and refused to request shipment of, and make payment for, the remaining four shipments.

11. By virtue of Defendant First BaSE's breach of its agreements with Plaintiff, Plaintiff has incurred costs and expenses for the materials ordered to manufacture the product, has incurred labor expenses in the manufacture of the product, and has lost profits which it otherwise would have realized but for Defendant First BaSE's breach of contract, all to Plaintiff's damage in an amount in excess of \$400,000.00.

12. Plaintiff has performed all terms and conditions of its agreements with Defendant First BaSE and remains ready, willing, and able to manufacture and ship the third through seventh shipments of the Product.

WHEREFORE, Plaintiff Lodging Concepts, Inc. prays for judgment against Defendant, First BaSE for Women, LLC, in an amount in excess of \$400,000.00 and as is warranted by the evidence, plus its costs of suit.

COUNT II
(Guarantee vs. Accel, Inc.)

Plaintiff, Lodging Concepts Inc., by Ward, Murray, Pace & Johnson, P.C., its attorneys, complains of Defendant, Accel, Inc., and alleges:

1. through 12. Plaintiff realleges Paragraphs one through twelve of Count I and as for paragraphs one through twelve of this Count II.

13. Defendant, Accel, Inc. is an Ohio corporation with principal offices at the same address as Defendant First BaSE for Women, LLC, namely 8133 Highfield Drive, Suite 100, Lewis Center, Ohio.

14. Contemporaneously with the negotiation of the Exhibit B purchase order, Plaintiff requested that Defendant First BaSE provide security for payment to Plaintiff for the Product because First BaSE was a new company and this was an initial launch of the Breast Self Exam Shower Kit.

15. Plaintiff and Defendant First BaSE initially agreed that Defendant First BaSE would provide a bank letter of credit to secure payment for the Product as shipped. Subsequently, certain officers and principals of Defendant First BaSE, who were also officers and principals of Defendant Accel, offered to Plaintiff that Defendant Accel would issue a letter guaranteeing performance by Defendant First BaSE of the terms of the purchase order. A copy of the letter is attached hereto as Exhibit C and hereby incorporated herein.

16. Plaintiff accepted the offer of Defendant Accel and it was only in consideration of Defendant Accel's guarantee that Plaintiff agreed to proceed with the procurement of the materials and the manufacture of the Products pursuant to the purchase order.

17. Plaintiff has notified Defendant Accel of Defendant First BaSE's breach of its agreements with Plaintiff and has requested that Defendant Accel perform according to its guarantee by making the payments which Defendant First BaSE failed to make, but Defendant Accel has failed and refused to honor its guarantee.

WHEREFORE, Plaintiff Lodging Concepts, Inc. prays for judgment against Defendant Accel, Inc. in an amount in excess of \$400,000.00 and as is warranted by the evidence, plus its costs of suit.

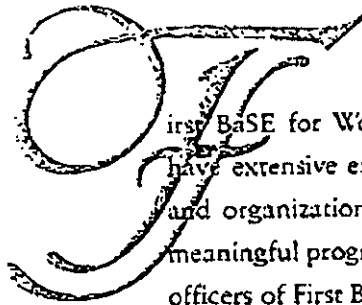
LODGING CONCEPTS, INC., Plaintiff

By WARD, MURRAY, PACE & JOHNSON, P.C.,
Its Attorneys

By Richard A. Palmer
Richard A. Palmer

Richard A. Palmer – ARDC #2138158
WARD, MURRAY, PACE & JOHNSON, P.C.
Attorneys for Plaintiff
202 East Fifth Street, P.O. Box 400
Sterling, Illinois 61081-0400
Telephone: (815) 625-8200

A Company . . . With a Mission



First BaSE for Women, LLC was created by six women from the Columbus, Ohio area, who have extensive experience in women's health, philanthropy, business development, marketing and organizational development. Their mission is to improve the lives of women by creating meaningful programs and products that inspire and empower women to lead healthier lives. The officers of First BaSE are committed to extraordinary levels of corporate giving, pledging 20% of net profits to the Foundation and other initiatives supporting women who have breast cancer.

A Product . . . With a Purpose

First BaSE™ Breast Self Exam Shower Kit

Shower kit, housing 12 small bath gels – one for each monthly Breast Self Exam

• Cabinet •

Attractive white cabinet made of durable, easy-to-clean ABS plastic

• Features •

Clear window allows woman to quickly see if gel for that month has been used

Door opens from top to reveal BSE instructions and 12 bath gels

Secures to shower wall • Patent pending

• Bath Gel Features •

Clean, translucent pink bath gel • Enriched with aloe vera and Vitamins A and E

Lightly fragranced for aromatic experience

• Product Enclosures •

Mammography reminder sticker • Complete instructions on Breast Self Exam (BSE)
Information on the First BaSE Foundation

• Points of Purchase •

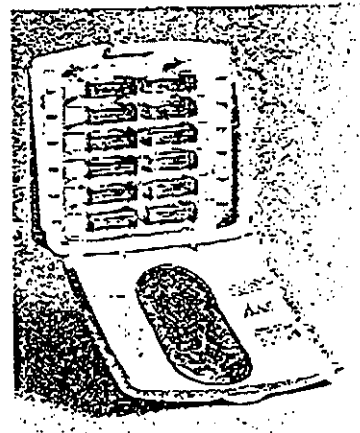
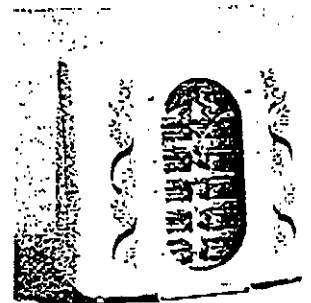
Online at www.BSEkits.com • Toll free (866) BSE-KITS • Select Retail Stores

• Price •

\$29.50 suggested retail price

20% of net profits support women with breast cancer

Exhibit A



Sent by: FROST BROWN TODD

1 614 464 1737;

04/22 1:51PM; JetFax #752; Page 9/13

Page 1 of 2

First Base For Women, LLC

8133 Highfield Dr., Lewis Center, Ohio 43035, 1-866-279-5487

To: Lodging Concepts, 203 Berg Street, Algonquin, IL 60102

Purchase Order
FROM: First Base For Women
 8133 Highfield Dr.
 Lewis Center, Ohio 43036

BILL TO: First Base For Women
 Suite 100
 8133 Highfield Dr.
 Lewis Center, Ohio 43035
Payment Details

Check	Amt. enclosed	Purchase order number	10002
Credit card	Card type	Substitutions allowed?	no
	Card number	Backorder allowed?	no
On account	Account no.	Ship via	ground
FOB	Exemption no.	FOB destination	First Base for Women
Tax exempt		Date ordered	July 18, 2001

Please supply the following items:

ITEMS	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL AMOUNT
1 oz SG	First Base 1 oz shower gel #579 pantone gel with pearized flip top cap received by 9/03/01	1	102000	\$0.219450	22,383.90
1 oz SG	First Base 1 oz shower gel #679 pantone gel with pearized flip top cap received by 9/10/01	1	204000	0.21945	44,769.80
1 oz SG	First Base 1 oz shower gel #679 pantone gel with pearized flip top cap received by 9/17/01	1	408000	0.219450	89,635.60
1 oz SG	First Base 1 oz shower gel #679 pantone gel with pearized flip top cap Received by 9/24/01	1	408000	0.219450	89,635.60
1 oz SG	First Base 1 oz shower gel #679 pantone gel with pearized flip top cap received by 10/01/01	1	408000	0.219450	89,635.60
1 oz	First Base 1 oz shower gel #679 pantone gel with pearized flip top cap Received by 10/08/01	1	408000	\$0.219450	89,635.60
				SUBTOTAL	341,291.10
				Shipping charges	
				Handling charges	
				Insurance	
				Tax	
				TOTAL	341,291.10

Tape Abraham

Ordered by

Approved by

Tax rate

N/A

Shipping charges

Handling charges

Insurance

Tax

TOTAL

TERMS AND CONDITIONS

Terms are net 30 after receipt of goods, FOB First Base for women

Penalty of 1% per day on late shipments

Approval of this order cancels 10001 po

only after 7 days late

that's not a result of late payment
or a result of force majeure.

Page 2 of 2

First Base For Women, LLC

8133 Highfield Dr., Lewis Center, Ohio 43035, 1-866-270-5487

Purchase Order

SHIP TO: First Base For Women
 8133 Highfield Dr.
 Lewis Center, Ohio 43035

BILL TO: First Base For Women
 Suite 100
 8133 Highfield Dr.
 Lewis Center, Ohio 43035

PAYMENT METHOD

Check	<input type="checkbox"/>	Am't enclosed		Purchase order number	10002
Credit Card	<input type="checkbox"/>	Card type		Substitutions allowed?	no
	<input type="checkbox"/>	Card number		Backorder allowed?	no
On account	<input checked="" type="checkbox"/>	Account no.		Ship via	ground
DD	<input type="checkbox"/>			FOB destination	First Base for Women
Tax exempt	<input type="checkbox"/>	Exemption no.		Date ordered	July 18, 2001

Please supply the following items

ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT COST	TOTAL AMOUNT
1 oz SG	First Base 1 oz shower gel #67B pantone gel with pearlized flip-top cap received by 10/15/01	1	510000	\$0.219450	111.91950
<p>First payment issued on 7/18/01 of \$112,151.70 of which \$45,000 is fully refundable upon submission of letter of credit but it does not effect the total amount of the purchase order</p> <p>In an amount to be agreed upon between party of Accel to guarantee P.O. Letter forthcoming.</p>					

Tara Abraham

Ordered by

Shipping charges

Handling charges

Insurance

Tax

TOTAL DUE

111.91950
537.21350
537.21350
537.21350
537.21350
537.21350

SPECIAL INSTRUCTIONS

Payment in advance until letter of credit is
 Terms are net 30 after receipt of goods, FOB First Base for women

Penalty of 1% per day on late shipments

Approval of this order cancels 10001 po

Week

only after 7 days late; that are not a result of
 late payment or a result of force majeure

FIRST BASE FOR WOMEN Lodging Concepts, Inc. PO#5862

Ship August 31, 2001	102,000 units	408 case
Ship September 7	204,000 units	916 cases
Ship September 14	408,000 units	1832 cases
Ship September 21	408,000 units	1832 cases
Ship September 28	408,000 units	1832 cases
Ship October 5	408,000 units	1832 cases
Ship October 12	510,000 units	2040 cases
TOTAL	2,448,000 UNITS	9792 CASES



YOUR FULFILLMENT CENTER FOR THE MILLENNIUM

FACSIMILE TRANSMITTAL SHEET

TO: Ray Romano FROM: Tara Abraham
COMPANY: Lodging Concepts Inc. DATE: July 19, 2001
FAX NUMBER: 847-854-8874 TOTAL NO. OF PAGES INCLUDING COVER: 2, including cover page
PHONE NUMBER: SENDER'S REFERENCE NUMBER:
RE: YOUR REFERENCE NUMBER:

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS

8133 HIGHFIELD DRIVE, LEWIS CENTER, OH 43085
(740) 549-6606 PHONE (740) 549-4199 FAX
ACCEL@NETWALK.COM EMAIL



YOUR FULFILLMENT CENTER FOR THE MILLENNIUM

720 Dearborn Park Lane • Worthington, Ohio 43085 • (614) 846-1223 phone • (614) 846-1642 fax • accel@netwalk.com e-mail

7/19/01

Ray Romano
Lodging Concepts Inc.
203 Berg Street
Algonquin, IL 60102

Ray:

This is letter is to confirm that Accel inc. is guaranteeing First BaSE for Women's purchase order 10002 for the amount of \$537213.60 minus the deposit of \$112,151.70 which leaves the amount of \$425061.90.

Thank you,

A handwritten signature in dark ink, appearing to read "Tara", followed by a stylized flourish.

Tara Marling Abraham
CEO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

FILED-WD

LODGING CONCEPTS, INC.,

Plaintiff,

vs.

FIRST BASE FOR WOMEN, LLC and
ACCEL, INC.,

Defendants.

Civil Action No. 02-cv-50164

2002 APR 26 PM 4:28
U.S. DISTRICT COURT

NOTICE OF FILING

TO: Richard A. Palmer, Esq.
WARD, MURRAY, PACE & JOHNSON, P.C.
202 East Fifth Street
P.O. Box 400
Sterling, IL 61081-0400

PLEASE TAKE NOTICE, that on the 26th day of April, 2002 the undersigned personally served the above-named, counsel for Plaintiff, with a copy of Defendant's, FIRST BASE FOR WOMEN, LLC, **NOTICE OF REMOVAL, NOTICE OF MOTION and MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING** and hereby filed this NOTICE in the Clerk's office for the United States District Court, Northern District of Illinois, Western Division.

Dated this 26th day of April, 2002.

FIRST BASE FOR WOMEN, LLC, Defendant

BY: MAGGIO & FOX PROFESSIONAL CORPORATION

BY: Gregory A. Biegel
One of its attorneys

PREPARED BY:

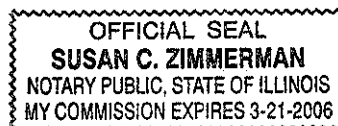
Gregory A. Biegel
MAGGIO & FOX PROFESSIONAL CORPORATION
501 Seventh St., Suite 501
Rockford, IL 61104
(815) 968-5100

The undersigned hereby states that a copy of the above NOTICE was served on the party as above addressed, in an envelope, sealed, postage prepaid, and depositing same in the United States Mail at Rockford, Illinois at or about the hour of 5:00 P.M. on the 26th day of April, 2002.

Georgina M. Loral

Subscribed and sworn to before me
this 26th day of April, 2002.

Susan C. Zimmerman
NOTARY PUBLIC



JS 44
(Rev. 12/96)

CIVIL COVER SHEET

FILED

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1992, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Lodging Concepts Inc

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF

(EXCEPT IN U.S. PLAINTIFF CASES)

New Jersey

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Ward Murray Pae & Johnson
P.O. Box 400
Sterling, IL

DEFENDANTS

MICHAEL W. DOBBINS, CLERK
UNITED STATES DISTRICT COURTFirst Base in Warren, LA
Accel

02C5016

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT

(IN U.S. PLAINTIFF CASES ONLY)

Ohio

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

ATTORNEYS (IF KNOWN)

GREGORY BIRKEL
501 South Street, Suite 501
Rollingwood, IL 61104

II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | |
|---|---|----------------------------|----------------------------|
| PTF | DEF | PTF | DEF |
| <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of This State | Incorporated or Principal Place of Business in This State | | |
| <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen of Another State | Incorporated and Principal Place of Business in Another State | | |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
| Citizen or Subject of a Foreign Country | Foreign Nation | | |

IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation
- ☐ 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Breach of Contract and guaranty claim removed from McHenry County

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION
☐ UNDER F.R.C.P. 23

DEMAND \$ 400,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NOVIII. RELATED CASE(S) (See instructions):
IF ANY

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

4-26-02

Susan A. B.

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

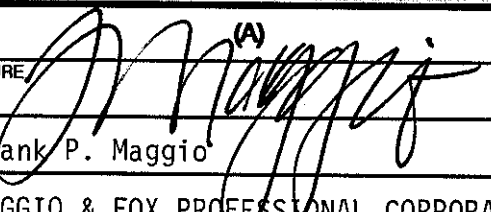
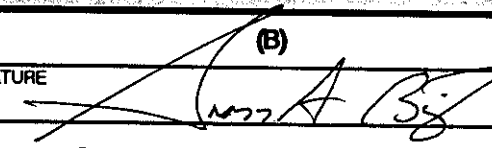
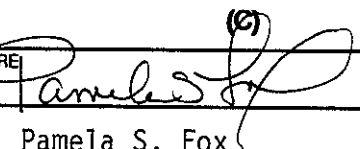
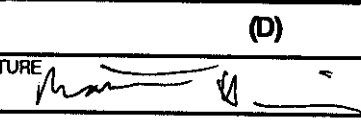
FILED-WD

2002 APR 26 PM 4:25

In the Matter of LODGING CONCEPTS, INC., Plaintiff, vs. FIRST BASE FOR WOMEN, INC.,
 ACCEL, INC., Defendants.

Case Number: **02C50164**

APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:
 DEFENDANT, FIRST BASE FOR WOMEN, LLC

SIGNATURE 	SIGNATURE 
NAME Frank P. Maggio	NAME Gregory A. Biegel
FIRM MAGGIO & FOX PROFESSIONAL CORPORATION	FIRM Same as (A)
STREET ADDRESS 501 Seventh Street, Suite 501	STREET ADDRESS
CITY/STATE/ZIP Rockford, IL 61104	CITY/STATE/ZIP
TELEPHONE NUMBER (815) 968-5100	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 01730312	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 06192539
MEMBER OF TRIAL BAR? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
SIGNATURE 	SIGNATURE 
NAME Pamela S. Fox	NAME Matthew M. Hevrin
FIRM Same as (A)	FIRM Same as (A)
STREET ADDRESS	STREET ADDRESS
CITY/STATE/ZIP	CITY/STATE/ZIP
TELEPHONE NUMBER	TELEPHONE NUMBER
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 00857424	IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 6256083
MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	MEMBER OF TRIAL BAR? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	TRIAL ATTORNEY? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

PLEASE COMPLETE IN ACCORDANCE WITH INSTRUCTIONS ON REVERSE.

1-3